

FILED  
UNITED STATES DISTRICT COURT  
DISTRICT OF NEW MEXICO

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO  
2021 SEP 11 AM 1:33  
CLERK/ALDO QUEROUE

MICHAEL JAMES NISSEN

Movant,

VS.

UNITED STATES OF AMERICA

Respondant,

Case No:

1:21-CV-00505-JB-SMV

1:19-CR-00077-JB

AFFIDAVIT OF FORMAL OBJECTION TO  
MEMORANDUM OPINION AND ORDER CONCERNING  
SUSAN PORTER, ESQUIRE

THIS MATTER comes before the Court  
to the Affidavit of Formal Objection to  
Memorandum Opinion and Order Concerning  
Susan Porter, Esquire and her Professional  
Malconduct.

PROFESSIONAL MALCONDUCT.

In reference to Fed. R. Civ. P.

60(b)(1) relating to Susan Porter,  
esquire (see, Doc, 20) case no: 1:21-cv-

00505-JB-SMV: 1:19-CR-00077-JB page

14, line 3-14. See Yapp v. Excel

Corp., 186 F.3d 1222, 1231 (10th Cir. 1999)

("Rule 60(b)(1) motions premised upon

mistake are intended to provide

relief to a party ... when the party

has made an excusable litigation

mistake or an attorney has acted

without authority...."). Mistake

in this context entails either acting

without the clients consent or making a litigation mistake, such as failing to file or comply with deadlines which Susan Porter, esquire did.

The record of the court will reflect her failure to file and comply with court ordered deadlines in the month of November, 2020. Susan Porter was released by Judge James O Browning's decision and the defendant's for her Professional Malconduct on record of the court.

Respectfully Submitted,  
Date: 08/23/2021 by: Michael J Nissen, agent  
MICHAEL J NISSEN